



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**

July 27, 2021

Via Emailed PDF

Valerie Long

valerie@designadg.com

**RE: 836-840 18th St NE - SQUARE 4494 - LOTS 72 73, and 74
 21-Z-PDRM-00151**

Dear Valerie Long:

This is to confirm the discussion regarding the PDRM virtual meeting of July 8, 2021 with my staff concerning the proposed development of 836-840 18th St NE. The development drawings are attached for reference.

The property is in MU-7 District and is located Square 4494 – Lots 72, 73 & 74. The property is not in a Historic district. The total lot area is 6,375 Sq Ft and the existing three buildings are to be razed as apart of development plan. A subdivision plat application to combine the existing three lots into one corner lot will be filed with DCRA's Office of the Surveyor. The new development will contain 38 dwelling units, and the property is within half a mile radius of the H/Benning Line DC Streetcar, Benning Rd & 19th St NE streetcar stop.

The Zoning discussion was as follows:

1. MU-7 zone permits mixed use and/or residential developments. The proposed project is residential-only.
2. The Lot is surrounded by;
 - a. East: 18th ST NE (15' Building Restriction Line)
 - b. North: I St NE (15' Building Restriction Line)
 - c. South, abutting property
 - d. Northwest: vacant unbuildable triangle lot as Side yard. (easements and covenants are proposed)
3. Automobile Parking: [Pursuant to Subtitle G-103, and Subtitle C Chapter 7) The minimum parking requirement is 1 parking space every 3 units, in excess of 4 units. The project proposes 38 units, which would be calculated

as 11.33 spaces, rounded to 11. There is a 50% reduction per Subtitle C 702.1 for properties located within 0.5 mile of metro rail or street car station. The property is located within 0.5 mile radius of the H/Benning Line DC Streetcar, Benning Rd & 19th St NE street car stop, therefore is eligible to the 50% reduction, at 5.5 spaces. A carshare space will be provided and is considered as 3 parking spaces. There are 3 parking spaces provided. Two of these are intended as car share spaces, and 1 space as an Accessible Van parking space. All spaces will be screened from street as they are located underneath the building on first level. The public alley abutting west of the property line will be used for garage entrance.

4. Bike Parking: Required bike parking is 1 long term space per 3 units and 1 short term space per 20 units. A total of 12 spaces are provided indoors at the cellar level, and two [2] short term exterior spaces are provided.
5. Inclusionary Zoning [IZ]: (Pursuant to Subtitle G-104 and Subtitle C Chapter 10) The project will be an IZ Development, and the calculations will be submitted at the time of the building permit application review. No IZ Units will be placed in the cellar level.
6. FAR: The maximum allowable FAR is 4.8 (Subtitle-G 402). The permissible habitable Penthouse FAR is 0.4 in order to not count in total building FAR. The cellar is below grade exempt from FAR calculations. The proposed FAR is 4.3.
7. Maximum permitted height for MU-7 is 65 feet with no restriction in number of stories. (Subtitle G-403.1). Penthouse height permitted is 12' additional to building height.

The proposed development includes seven stories above grade, cellar level is below grade and a habitable penthouse level. The BHMP is measured from the top of the curb opposite the center of the building face on 18th St NE to the top of parapet, is within 65'-0" allowable height. The cellar level has areaways that will not project more than 4'-0" beyond property line, the areaways will not be considered as change at natural grade.

Proposed Building height is measured per Subtitle B-307.1:

In other than residential zones, as defined in Subtitle A § 101.9, and except as permitted elsewhere in this section and the regulations, the building height measuring point (BHMP) shall be established at the at the level of the curb, opposite the middle of the front of the building, and the building height shall be the vertical distance measured from the BHMP to the highest point of the roof or parapet or a point designated by a specific zone district.

Subtitle B-307.5

Except as provided in Subtitle B § 307.7, if a building fronts on more than one (1) street, any front may be used to determine the maximum height of the building; but the basis for the height of the building shall be determined by the width of the street selected as the front of the building.

8. Penthouse is set back from the building's roof edges along 18th St and I St an equal distance to its height so as to meet the required 1:1 setback. Penthouse SF is kept within the allowable 0.4 PH FAR area. Penthouse height is ten (10) feet which is additional to building height, and will contain habitable floor area and will be subject to IZ requirements.
9. Maximum allowable lot occupancy is 80% for an IZ development. The proposed lot coverage is 73% (Subtitle G-404.1).
10. Building Frontage: The proposed building aligns with lot lines at BRL's on both 18th street and I street sides. The entrance to the property is from 18th Street. The bay windows are within the property lines, included in FAR calculations, located in the building restricted area, subject to DDOT review and approval. The cellar level areaways will not project more than 4' beyond property line, and will also be subject to DDOT review and approval.
11. Side yards are not required as per Subtitle G-406, No side yard setback is proposed. Building The property owner is in discussion to obtain easement for a vehicular access over the small adjacent triangular lot, and to obtain covenants for windows on or near to the adjacent property line.
12. Rear Yard: Subtitle G-405 A minimum rear yard of two and one-half inches (2.5 in.) per one foot (1 ft.) of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than twelve feet (12 ft.) shall be provided in the MU-7 zone.

G-405.5: In the MU-3 through MU-9 zones, a horizontal plane may be established at twenty feet (20 ft.) above the mean finished grade at the middle of the rear of the structure for the purpose of measuring rear yards.

G-405.5: In the MU-3 through MU-7 zones, rear yards shall be measured as follows: (a) Where a lot abuts an alley: (1) For that portion of the structure below a horizontal plane described in Subtitle G § 405.4 from the center line of the alley to the rear wall of the portion; and (2) For that portion of the

structure above the horizontal plane described in Subtitle G § 405.4, from the rear lot line to the rear wall of that portion immediately above the plane.

A 20' height is provided from Alley at first and second floor (20' height) measured at the center of the alley, with a rear yard setback of 2.5" per foot. A rear yard setback of 13' 6" is provided from the third through seventh floors on the west of the property abutting the public alley.

13. GAR of 0.25 will be met with green space at grade. A detailed GAR plan will be submitted along with the building permit application.

14. Enclosed ventilated trash room will be provided off the garage area.

15. Parking is not external or surface; garage screening is not required.

Please feel free to contact me if you have any questions.

Sincerely, Matthew Le Grant
Matthew Le Grant
Zoning Administrator

DISCLAIMER: This letter is issued in reliance upon, and therefore limited to, the questions asked, and the documents submitted in support of the request for a determination. The determinations reached in this letter are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is **NOT** a "final writing", as used in Section Y-302.5 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), nor a final decision of the Zoning Administrator that may be appealed under Section Y-302.1 of the Zoning Regulations, but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of the date of this letter based on the information submitted for the Zoning Administrator's review. Therefore this letter does **NOT** vest an application for zoning or other DCRA approval process (including any vesting provisions established under the Zoning Regulations unless specified otherwise therein), which may only occur as part of the review of an application submitted to DCRA.

Attachments: Plan Set dated 2-25-21

Zoning Technician: Chyna Barber